



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Alfred D. COMMINS

Conf. No. 9692

Application No.: 09/922,581

Examiner: Winnie S. YIP

Filed: August 3, 2001

Art Unit: 3636

For: Building Wall for Resisting Lateral Forces

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicant submits herewith patents, publications or other information, of which Applicant is aware that Applicant believes may be material to the examination of this application, and in respect of which, there may be a duty to disclose. The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

This information disclosure statement is accompanied by Form PTO/SB/08 (substitute for Form PTO-1449) and legible copies of all cited foreign patent documents and non-patent literature listed in said form. Pursuant to Notice of August 5, 2003, copies of cited U.S. patent documents and publications are not enclosed.

Applicant also submits herewith the following concise statement of relevance as to selected references:

C1 - UTZMAN, Provisional Patent Application Specification entitled: SHEAR PANEL JOINT

A draft of this patent specification was viewed by Alfred D. Commins, who was at that time an employee of the Assignee of the instant application. At the time, Commins was told that the draft he reviewed had been filed with US Patent Office as a provisional patent

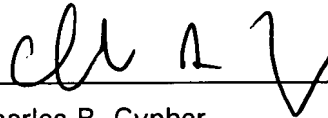
application. Applicant's attorney has reviewed issued U.S. Patent No. 5,870,870 and has compared it to the draft reviewed by Assignee's employee. The two are substantially similar with added material appearing in the non-provisional application that issued as U.S. Patent No. 5,870,870.

Applicants are including this reference because the examiner may feel it to be relevant. Applicant's citation of this reference in this Information Disclosure Statement should not be taken as an admission that it constitutes prior art.

The person making this certification is the practitioner who signs below on the basis of the information supplied by the inventor(s) and in the practitioner's file.

As far as is known to the undersigned, this Information Disclosure Statement is being filed with a request for continued examination as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required. While no fee is believed to be due, if this belief is in error the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required for this paper, or credit any overpayment to Deposit Account No. 03-4075 (Atty. Docket No. SST-1148).

Respectfully submitted,



Charles R. Cypher
Law Offices of James R. Cypher
405 14th Street
Suite 1607
Oakland, CA 94612

Date: September 14, 2007

Reg. No.: 41,694

Tel. No.: 510-832-4111

Fax No.: 510-832-4115

Customer No.: 498

Attachments: Form PTO/SB/08 (1 pg)
2 cited references